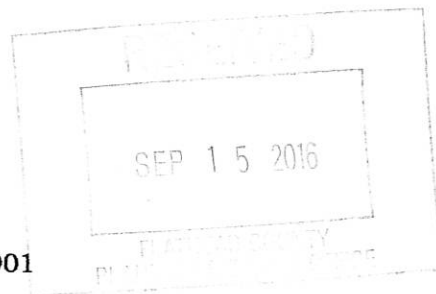




# Flathead County

## Planning & Zoning

40 11<sup>th</sup> Street West, Suite 220 Kalispell, MT 59901  
Telephone 406.751.8200 Fax 406.751.8210



### PETITION FOR ZONING AMENDMENT

*Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.*

#### APPLICANT/OWNER:

**FEE ATTACHED \$** \_\_\_\_\_

1. Name: David M. and Anna Marie Bailey Phone: (406) 261-3063
2. Mail Address: P.O. Box 2655
3. City/State/Zip: Kalispell, MT. 59903
4. Interest in property: Owner

#### Check which applies:



Map Amendment



Text Amendment:

#### TECHNICAL/PROFESSIONAL PARTICIPANTS:

Name: None Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Email: \_\_\_\_\_

#### **IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS, PLEASE COMPLETE THE FOLLOWING:**

- A. What is the proposed zoning text/map amendment?

#### **IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE ZONING MAP PLEASE COMPLETE THE FOLLOWING:**

- A. Address of the property: 121 and 135 Whitefish Lookout Rd Whitefish MT.

- B. Legal Description: Tr 5D and Tr 5E in the SE 1/4  
(Lot/Block of Subdivision or Tract #)

11 -T31N -R21W  
Section Township Range (Attach sheet for metes and bounds)

- C. Total acreage: 35.69

- D. Zoning District: Rural Whitefish Zoning District

- E. The present zoning of the above property is: SAG-10

- F. The proposed zoning of the above property is: Sag-5\*

- G. State the changed or changing conditions that make the proposed amendment necessary: \*Requesting zoning change on portion of property south of and abutting Whitefish lookout Road to SAG-5 while leaving the rest in SAG-10 as it currently exists.





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Surrounding neighborhoods have much higher residential density. Better fire safety can be achieved in the area if this parcel, isolated by the county road, could be managed as a single tract of land. The county road is privately maintained and public safety would benefit by having an additional parcel owner helping with its maintenance. Economically, managing this forested 35.69 acres rural characteristics benefits Flathead County.

**THE FOLLOWING ARE THE CRITERIA BY WHICH ZONING AMENDMENTS ARE REVIEWED. PLEASE PROVIDE A RESPONSE AND DETAILED EXPLANATION FOR EACH CRITERION FOR CONSIDERATION BY THE PLANNING STAFF, PLANNING BOARD, AND COMMISSIONERS.**

1. Is the proposed amendment in accordance with the Growth Policy/Neighborhood Plan?

Yes the amendment is in accordance Flathead County Growth Policy. This zoning amendment meets the goals of the Growth Policy. By ensuring "safe, healthy use densities that preserve the character, protects the health, safety and welfare of neighbors and efficiently provide local services." This amendment would allow three (3) parcels on 35.69 acres.

"Preserve the rights of property owners to the use, enjoyment and value of their property and protect the same rights for all property owners." This amendment should benefit owners and neighbors by preserving the rural forested character of the neighborhood.

2. Is the proposed amendment designed to:
  - a. Secure safety from fire and other dangers?
  - b. Promote public health, public safety and the general welfare?
  - c. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?

This amendment will allow for 3 separate lots on the 35+ acres instead of 2 which should make it easier for the owners of the smaller lots to keep them fire safe for themselves and their neighbors. This should also promote public safety and welfare. Water sewage will be privately provided and schools, transportation, parks and other requirements will all benefit from the additional property tax this will generate



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3. Does the proposed amendment consider:

- a. The reasonable provision of adequate light and air?
- b. The effect on motorized and non-motorized transportation systems?
- c. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities?
- d. The character of the district and its peculiar suitability for particular uses?
- e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area?

More than adequate light and air will continue to be provided by this large acreage. Motorized transportation will be enhanced on Lookout Road as it currently maintained privately and another property owner could help. Lookout road connects to Big Mtn road which is a newly improved State Hwy. and should be able to handle one additional potential household. The biking and fantastic hiking should not be hindered by this proposed amendment.

This amendment is compatible in scale and scope with growth in near by Whitefish and other rural Whitefish neighborhoods.

The similarities of the current SAG-10 and proposed SAG-5 zone are so similar accepting lot size that the "character of the district and its particular suitability for particular uses" should not change.

No buildings exist on subject property. The applicant feels that the proposed zone amendment would encourage the most appropriate use of land in the area.

4. Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?

Property was recently administered by the Whitefish zoning district. They thought it was compatible and I think it still is. Reducing the density From SAG-10 to SAG-5 makes this more compatible in its density to the nearby R-1,RR-1 and WWR-1/WPUD zones than the current SAG-10 zones.

\* 2 MAPS ATTACHED pg 586

\*\*\*\*\*

*The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during approval process.*

Ben Bailey  
Owner/Applicant Signature(s)

SEPT 6, 2016  
Date



PROPOSED  
SAG-5





5



SEP 15 2016